

HUMAN SERVICES BOARD

# INTRODUCTION

## FINDINGS OF FACT

3. On November 6, 2009 the Department notified the petitioner that she would not be eligible for seasonable fuel

assistance. At the hearing held on January 6, 2010 the petitioner did not dispute the Department's determination that her unemployment benefits are \$450 a week, or \$1,935 a month (\$450 X 4.3 wks/mo).

4. The petitioner feels the Department should count her income as of the date of her application.

ORDER

The Department's decision is affirmed.

REASONS

Under the Seasonal Fuel Assistance program, all fuel assistance household income is included as countable income, minus any allowable deductions. W.A.M. \$2930. The maximum income for a two-person household is \$1,518 a month. P-2905A. The regulation (*supra*) also provides:

To the extent that the department collects and maintains information within its automated data system on recipients on ongoing program benefits administered by the department, such income information will be used for the determination of eligibility and benefits for the Fuel Program, if such income information is more current than provided on the fuel application.

There is no dispute in this matter that as of August 2009 the petitioner had countable income in excess of the program maximum. Inasmuch as the Department's decision was

in accord with its regulations the Board is bound to affirm.

3 V.S.A. § 3091(d), Fair Hearing Rule No. 1000.4D.

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